

# The Gazette of India

EXTRAORDINARY  
PART II—Section 1  
PUBLISHED BY AUTHORITY

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No. 32] NEW DELHI, TUESDAY, JUNE 1, 1954

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MINISTRY OF LAW

*New Delhi, the 1st June 1954*

THE NORTH-EAST FRONTIER AGENCY (REQUISITION-  
ING OF SERVICE AS PORTERS) REGULATION, 1954

No. 2 OF 1954

Promulgated by the President in the Fifth Year of the Republic  
of India.

A Regulation to ensure the proper movement in the tribal areas within the State of Assam of public officers on duty and of their baggage and equipment and of commodities, stores and equipment essential to the life of the community, and for such public purposes to provide for the requisitioning of able-bodied persons to act as porters in an emergency.

In exercise of the powers conferred by clause (2) of article 243 of the Constitution, read with sub-paragraph (2) of paragraph 18 of the Sixth Schedule to the Constitution, the President is pleased to promulgate the following Regulation made by him:—

**1. Short title, extent and commencement.**—(1) This Regulation may be called the North-East Frontier Agency (Requisitioning of Service as Porters) Regulation, 1954.

(2) It extends to the tribal areas specified in Part B of the Table appended to paragraph 20 of the Sixth Schedule to the Constitution.

(3) It shall come into force at once.

**2. Definitions.**—In this Regulation, unless the context otherwise requires,—

(a) 'emergency' means a situation in which due to concerted action on the part of the people of any area to which this Regulation extends and with a view to hampering the administration in such area—

(i) a public officer, in the course of the discharge of his duties as such, is either prevented from visiting a place or having gone

to a place is prevented from leaving that place for want of porters to carry the essential items of his baggage and equipment;

(ii) the movement of any police force, the Assam Rifles or any unit of the regular armed forces of the Union to deal with a breach of the peace, or any threat to law and order, is impeded for want of porters to carry their essential items of baggage and equipment; or

(iii) the movement of commodities, stores and equipment essential to the life of the community or to the maintenance of law and order or to the prevention of any threat to peace, is impeded for want of porters;

(b) 'public officer' means the Political Officer of an administrative unit of a tribal area, and includes any officer authorised by him in writing to act under this Regulation;

(c) 'road' means a road over which mechanically propelled vehicles can ordinarily ply;

(d) 'tribal area' means any of the tribal areas specified in Part B of the Table appended to paragraph 20 of the Sixth Schedule to the Constitution.

### **3. Requisitioning of service of able-bodied persons to act as porters.—**

(1) Any public officer may, for the purpose of meeting an emergency, by order, requisition the service of able-bodied males not below the age of eighteen years residing within his jurisdiction to act as porters:

Provided that in requisitioning such service no discrimination shall be made on grounds only of religion, race, caste or class or any of them:

Provided further that payment shall be made for such service at rates not less than the normal rates of wages prevailing in the locality with respect to porters.

(2) The circumstances in which a public officer exercises the powers conferred by sub-section (1) shall on every occasion be reduced by him to writing.

(3) Nothing in this section shall be deemed to authorise a public officer to requisition the service of any person to act as a porter for the carriage of any articles to or from a place which is accessible by road or rail.

**4. Penalty.**—If any person without reasonable excuse (the burden of proving which shall be on him) disobeys an order issued under section 3, he shall be punishable with imprisonment which may extend to one year, or with fine which may extend to five hundred rupees, or with both.

**5. Appeal.**—Any person convicted under section 4 may appeal against his conviction to the court to which an appeal ordinarily lies under the law for the time being in force for the administration of justice in respect of orders passed by the convicting court in criminal cases.

**6. Power to make rules.**—(1) The Governor of Assam may make rules for the purpose of carrying out the provisions of this Regulation.

(2) In particular, and without prejudice to the generality of the foregoing power, the rules so made may provide for all or any of the following matters, namely:—

(a) the circumstances under which the service of porters may be requisitioned;

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- (b) the manner of service of any order issued under section 3;
  - (c) the terms and conditions governing the employment of requisitioned porters;
  - (d) any other matter connected with or ancillary to the matters aforesaid.

RAJENDRA PRASAD,  
*President.*

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K. Y. BHANDARKAR,  
*Secy. to the Govt. of India.*

